

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>		<b>GRANT NUMBER (FAIN):</b> 00901308 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> A	<b>DATE OF AWARD</b> 12/19/2007
			<b>TYPE OF ACTION</b> Continuation	<b>MAILING DATE</b> 12/26/2007
			<b>PAYMENT METHOD:</b> ACH	<b>ACH#</b> 90245
<b>RECIPIENT TYPE:</b> State			<b>Send Payment Request to:</b> Las Vegas Finance Center, Fax (702) 798-2423	
<b>RECIPIENT:</b> Air Resources Board 1001 I Street PO Box 2815 Sacramento, CA 95812 <b>EIN:</b> 68-0288069			<b>PAYEE:</b> CA Air Resources Board 1001 I Street PO Box 2815 Sacramento, CA 95812	
<b>PROJECT MANAGER</b> Matthew Singh 1001 I Street PO Box 2815 Sacramento, CA 95812 <b>E-Mail:</b> msingh@arb.ca.gov <b>Phone:</b> 916-322-8201		<b>EPA PROJECT OFFICER</b> Gary Lance 75 Hawthorne Street, AIR-8 San Francisco, CA 94105 <b>E-Mail:</b> Lance.Gary@epamail.epa.gov <b>Phone:</b> 415-972-3992		<b>EPA GRANT SPECIALIST</b> Alba Espitia Grants Management Office, MTS-7 <b>E-Mail:</b> Espitia.Alba@epamail.epa.gov <b>Phone:</b> 415-972-3667
<b>PROJECT TITLE AND DESCRIPTION</b> FY08 AIR POLLUTION CONTROL PROGRAM The purpose of this program is to provide continuing support for activities which include strategic planning and evaluation, compliance assistance, developing state implementation plans, monitoring air and emissions, rulemaking, operating permits and all other program-related activities. This assistance agreement provides partial Federal funding in the amount of \$4,077,967. This amount includes \$387,000 of Border funds and \$50,000 for Imperial Valley Air Quality Web Site Contract.				
<b>BUDGET PERIOD</b> 10/01/2007 - 09/30/2008	<b>PROJECT PERIOD</b> 10/01/2007 - 09/30/2008	<b>TOTAL BUDGET PERIOD COST</b> \$28,067,695.00	<b>TOTAL PROJECT PERIOD COST</b> \$28,067,695.00	
<b>NOTICE OF AWARD</b>				
Based on your Application dated 08/01/2007 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$4,077,967. EPA agrees to cost-share % of all approved budget period costs incurred, up to and not exceeding total federal funding of \$4,077,967. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.				
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>			<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9 - Grants Management Section, EMD 6-1 75 Hawthorne Street San Francisco, CA 94105			<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9 Air Division, AIR-1 75 Hawthorne Street San Francisco, CA 94105	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>				
<b>Digital signature applied by EPA Award Official</b> Jane Diamond - Assistant Regional Administrator				<b>DATE</b> 12/19/2007

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 4,077,967	\$ 4,077,967
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 20,515,500	\$ 20,515,500
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 24,593,467	\$ 24,593,467

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.001 - Air Pollution Control Program Support	Clean Air Act: Sec. 105	40 CFR PTS 31 & 35 SUBPT A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	0809M8S019	08	E1	09M2	101A04E	4112	-	-	3,640,967
-	0809M8S019	08	E1C	09M2	101A04E	4112	-	-	437,000
									4,077,967

## Budget Summary Page

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$16,684,136
<b>2. Fringe Benefits</b>	\$5,909,534
<b>3. Travel</b>	\$493,818
<b>4. Equipment</b>	\$207,514
<b>5. Supplies</b>	\$631,951
<b>6. Contractual</b>	\$383,000
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$3,757,742
<b>9. Total Direct Charges</b>	\$28,067,695
<b>10. Indirect Costs: % Base <u>N/A</u></b>	\$0
<b>11. Total (Share: Recipient % Federal %.)</b>	\$28,067,695
<b>12. Total Approved Assistance Amount</b>	\$4,077,967
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$4,077,967
<b>15. Total EPA Amount Awarded To Date</b>	\$4,077,967

## Detailed Table B Budget Page: 1

<b>Table B - Program Element Classification (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. There are no non-federal non-recurrent expenditures identified in the budget.</b>	\$
<b>2.</b>	\$
<b>3.</b>	\$
<b>4.</b>	\$
<b>5.</b>	\$
<b>6.</b>	\$
<b>7.</b>	\$
<b>8.</b>	\$
<b>9.</b>	\$
<b>10.</b>	\$
<b>11. Total (Share: Recip % Fed %)</b>	\$
<b>12. Total Approved Assistance Amount</b>	\$

### **Administrative Conditions**

1. The final Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), for this award shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, within 90 days after the end of the project period according to the recipient's respective Code of Federal Regulations Part 31.23(b) and 31.41(b). The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

The recipient shall identify non-federal, non-recurrent expenditures on a separate page and submit it to the Grants Management Office, MTS-7. The recipient also agrees to include a statement certifying that supplanting did not occur.

2. The recipient will provide timely reporting of cash disbursements and balances through annual submission (January - December) of a Federal Cash Transactions Report (SF272 and SF272A). The appropriate reports must be submitted to the Las Vegas Finance Center within 15 working days following the end of each calendar year. The recipient may access these forms and the instructions for submission at <http://www.epa.gov/ocfo/financeservices/payinfo.htm>.

3. The required minimum recipient cost share for this program is 40% of total project costs, or the Maintenance of Effort (MOE) level of \$20,515,127 (final MOE from FY-2006), whichever is greater. EPA agrees to pay up to 60% of total eligible project costs, not to exceed the Total Approved Assistance Amount, provided that the recipient's MOE level is maintained. The assistance agreement may reflect a percentage shown under the "Notice of Award " section which is based on estimated costs requested in the recipient's application.

4. The recipient shall comply with the Single Audit Act and the reporting requirements set forth in OMB Circular A-133.

5. The recipient agrees to complete and submit to the Grants Management Office, MTS-7, a MBE/WBE Utilization Report (EPA Form 5700-52A), within 30 days after the end of the Federal fiscal year, i.e., by October 30 of each calendar year. Negative reports are required.

6. In accordance with EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under Federal assistance programs, the recipient agrees to:

a) Accept the applicable "fair share" goals negotiated with EPA by the **California Air Resources Board**, as follows:

	<u>MBE</u>	<u>WBE</u>
Construction	24%	6%

Equipment	22%	26%
Services	30%	31%
Supplies	29%	20%

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If the recipient does not want to rely on the applicable State's MBE/WBE "fair share" goals, the recipient agrees to submit proposed MBE/WBE "fair share" goals based on availability of qualified minority and women-owned businesses to do work in the relevant market for construction, services, supplies, and equipment.

"Fair share" objectives must be submitted to Joe Ochab, MTS-1, within 30 days of award and approved by EPA no later than 30 days thereafter.

b) Ensure to the fullest extent possible that at least the applicable "fair share" objective {see a) above} of Federal funds for prime contracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black colleges and universities.

c) Include in its bid documents applicable "fair share" objectives {see a) above} and require all of its prime contractors to include in their bid documents for subcontracts the negotiated fair share percentages.

d) Follow the six affirmative steps stated in 40 CFR Section 30.44(b), Section 31.36(e), Section 35.3145(d), or Section 35.6580(a), as appropriate.

e) In the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBEs, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective.

f) Until the recipient has completed its fair share negotiations with EPA, it agrees to apply the main State agency's fair share objectives. Once the recipient has completed its fair share negotiations with EPA, it will apply those objectives. The recipient also agrees to include in its bid documents the applicable "fair share" objectives and require all of its prime contractors to include in their bid documents for subcontracts the applicable "fair share" percentages and to comply with paragraphs (c) through (e) above.

7. When procuring services, equipment, and/or supplies under this assistance agreement, the recipient will follow the same policies and procedures it uses for procurements from its non-Federal funds. The recipient will follow their own procurement policies and procedures provided that the policies and procedures conform with EPA regulations 40 CFR Part 31.36 or 30.44 (as applicable) which state

that all procurement transactions will be conducted in a manner providing full and open competition.

8. Payment to consultants. Per 40 CFR Part 31.36(j), EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction,

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and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2007, the rate is \$557.28 per day and \$69.66 per hour. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b).

9. The cost principles of 2 CFR 225, 230, or 220 (formerly OMB Circular A-87, A-122, or A-21) are applicable to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

10. The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

11. The recipient shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by its respective 2 CFR 220, 225, or 230 (formerly OMB Circular A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

12. Pursuant to EPA Order 1000.25 and Executive Order 13101, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to Standard Forms. These forms are printed on recycled paper as available through the General Services Administration. Recipient shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

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13. The recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

14. The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at [http://www.access.gpo.gov/nara/cfr/waisidx\\_06/40cfr36\\_06.html](http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html).

15. The recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." The recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar

term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at [www.epis.gov](http://www.epis.gov). This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

### **Programmatic Conditions**

P1. This award represents partial funding of \$4,077,967 which is approximately 54% of the amount requested by the recipient. Full funding of this assistance agreement is not guaranteed and is subject to the availability of funds. In the event that additional funding is not received, the recipient's final performance (progress) report submitted in accordance with 40 CFR 31.40 OR 30.51 shall also address which workplan tasks were not accomplished as a result of the reduction in EPA funding.

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P2. This grant includes the performance of environmental measurements. A Quality Assurance Project Plan (QAPP) was approved by the CARB and EPA on June 1, 1993. A Technical Systems Audit was completed by EPA in 2007 that identified areas of the QAPP which should be revised. In consultation with CARB, a timetable for revising the QAPP by FY 09 will be established. Measurement activity may proceed under the existing QAPP while the revised plan is being prepared.

P3. The recipient shall submit mid year and end of year progress reports to the EPA Project Officer. The mid year report is due not later than 30 calendar days after the end of the 2nd Federal fiscal quarter (April 30) and the 4th Federal fiscal quarter (October 31). These reports should include brief information on each of the following areas: 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement workplan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, analysis and formation of cost overruns or high unit costs.

P4. Prior to the end of FY-08, the recipient will submit a grant performance measures template which will be initially populated with available data by EPA and reviewed by the recipient. This version of the template, and any subsequent updates provided by EPA after review and comment by the recipient, will be maintained by the recipient in its official grant file. The final, completed template will contain FY07 National Baseline,



FY07 National Commitments, FY08 National Commitments, FY07 State Baseline, FY08 State Measurement, Measurement Period, Source of Data, and Comments.

END-OF-DOCUMENT

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	<b>GRANT NUMBER (FAIN): 00901308</b>		<b>DATE OF AWARD</b> 05/19/2008	
		<b>MODIFICATION NUMBER: 1</b>		<b>MAILING DATE</b> 05/26/2008	
		<b>PROGRAM CODE: A</b>			
		<b>TYPE OF ACTION</b> Augmentation: Increase		<b>PAYMENT METHOD:</b> ACH	
<b>RECIPIENT TYPE:</b> State		<b>Send Payment Request to:</b> Las Vegas Finance Center, Fax (702) 798-2423			
<b>RECIPIENT:</b>  Air Resources Board 1001 I Street PO Box 2815 Sacramento, CA 95812 <b>EIN:</b> 68-0288069		<b>PAYEE:</b>  CA Air Resources Board 1001 I Street PO Box 2815 Sacramento, CA 95812			
<b>PROJECT MANAGER</b>  Matthew Singh 1001 I Street PO Box 2815 Sacramento, CA 95812 <b>E-Mail:</b> msingh@arb.ca.gov <b>Phone:</b> 916-322-8201		<b>EPA PROJECT OFFICER</b>  Gary Lance 75 Hawthorne Street, AIR-8 San Francisco, CA 94105 <b>E-Mail:</b> Lance.Gary@epamail.epa.gov <b>Phone:</b> 415-972-3992		<b>EPA GRANT SPECIALIST</b>  Alba Espitia Grants Management Office, MTS-7 <b>E-Mail:</b> Espitia.Alba@epamail.epa.gov <b>Phone:</b> 415-972-3667	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> FY08 AIR POLLUTION CONTROL PROGRAM The purpose of this program is to provide continuing support for activities which include strategic planning and evaluation, compliance assistance, developing state implementation plans, monitoring air and emissions, rulemaking, operating permits and all other program-related activities. This assistance amendment provides additional federal funding in the amount of \$2,810,961. This amount includes \$9,514 for PAMS, \$257,000 for CAPCOA, and \$257,000 for the Mexican Border funds. The total revised full federal amount is \$6,888,928. All terms and condition remain in full force and effect.					
<b>BUDGET PERIOD</b> 10/01/2007 - 09/30/2008		<b>PROJECT PERIOD</b> 10/01/2007 - 09/30/2008		<b>TOTAL BUDGET PERIOD COST</b> \$27,404,428.00	
				<b>TOTAL PROJECT PERIOD COST</b> \$27,404,428.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 08/01/2007 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$2,810,961. EPA agrees to cost-share <u>25.14</u> % of all approved budget period costs incurred, up to and not exceeding total federal funding of \$6,888,928. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>			<b>AWARD APPROVAL OFFICE</b>		
<b>ORGANIZATION / ADDRESS</b>  U.S. EPA, Region 9 - Grants Management Section, EMD 6-1 75 Hawthorne Street San Francisco, CA 94105			<b>ORGANIZATION / ADDRESS</b>  U.S. EPA, Region 9 Air Division, AIR-1 75 Hawthorne Street San Francisco, CA 94105		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
<b>Digital signature applied by EPA Award Official</b> Carolyn Truong - Grants Management Officer					<b>DATE</b> 05/19/2008

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 4,077,967	\$ 2,810,961	\$ 6,888,928
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 20,515,500	\$	\$ 20,515,500
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 24,593,467	\$ 2,810,961	\$ 27,404,428

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.001 - Air Pollution Control Program Support	Clean Air Act: Sec. 105	40 CFR PTS 31 & 35 SUBPT A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	0809M8S047	08	E1	09M2	101A04E	4112	-	-	2,810,961
									2,810,961



## Budget Summary Page

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$16,684,136
<b>2. Fringe Benefits</b>	\$5,909,534
<b>3. Travel</b>	\$480,318
<b>4. Equipment</b>	\$152,614
<b>5. Supplies</b>	\$570,351
<b>6. Contractual</b>	\$383,000
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$3,224,475
<b>9. Total Direct Charges</b>	\$27,404,428
<b>10. Indirect Costs: % Base</b>	\$0
<b>11. Total (Share: Recipient <u>74.86</u> % Federal <u>25.14</u> %.)</b>	\$27,404,428
<b>12. Total Approved Assistance Amount</b>	\$6,888,928
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$2,810,961
<b>15. Total EPA Amount Awarded To Date</b>	\$6,888,928

## Detailed Table B Budget Page: 1

<b>Table B - Program Element Classification (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. There are no non-federal non-recurrent expenditures identified in the budget.</b>	\$
<b>2.</b>	\$
<b>3.</b>	\$
<b>4.</b>	\$
<b>5.</b>	\$
<b>6.</b>	\$
<b>7.</b>	\$
<b>8.</b>	\$
<b>9.</b>	\$
<b>10.</b>	\$
<b>11. Total (Share: Recip % Fed %)</b>	\$
<b>12. Total Approved Assistance Amount</b>	\$

### **Administrative Conditions**

Administrative terms and conditions 1, 2 and 4 thru 15 remain in full force and effect. Condition numbered 3 is revised as follows:

3. The required minimum recipient cost share for this program is 40% of total project costs, or the Maintenance of Effort (MOE) level of \$20,515,127 (final MOE from FY-2007), whichever is greater. EPA agrees to pay up to 60% of total eligible project costs, not to exceed the Total Approved Assistance Amount, provided that the recipient's MOE level is maintained. The assistance agreement may reflect a percentage shown under the "Notice of Award " section which is based on estimated costs requested in the recipient's application.

### **Programmatic Conditions**

Programmatic condition numbered P1 is revised as follows:

P1. This agreement represents reduced federal funding in the amount of \$663,267. Since the target allocation was not received, the recipient's final performance (progress) report submitted in accordance with 40 CFR 31.40 or 30.51 shall also address which workplan tasks were not accomplished as a result of the reduction in EPA funding.

All other programmatic conditions remain in full force and effect.

END-OF-DOCUMENT